

REMARKS/ARGUMENT

Applicants appreciate the courtesy extended by the Examiner to them and their representative during the telephone interview held on January 30, 2008. The claim amendments and remarks herein have been made in consequence of the Examiner's suggestions during the telephone interview, and in an effort to advance the prosecution of the present application. Applicants request that the claim amendments and remarks be considered by the examiner prior to the issuance of the next Office Action.

Claims 20-22, 28, 29, and 32-45 are pending in the subject application. Claims 1-19, 23-27, 30 and 31 have been cancelled without prejudice. Claims 20 and 36 have been amended, and new independent claim 46 has been added in accordance with the continuation sheet annexed to the Examiner's February 4, 2008 *Interview Summary*. Support for these amendments can be found, *inter alia*, in the specification as follows: page 5, lines 25-26 ("body temperature"); page 6, lines 31-33 ("within the range of body temperature"); and page 7, lines 15-16 ("austenite phase"). Independent claims 20, 36, and 46 each recites that the correction force is generated in an austenite phase of the superelastic material. Accordingly, the correction force in the claimed invention is generated using the superelastic property of the material.

In view of the claim amendments and remarks submitted above and in their January 14, 2008 Amendment in Response, applicants respectfully submit that the application is now in condition for allowance. If, however, the Examiner believes that there are any unresolved issues requiring the maintenance of any adverse action on the case, applicants respectfully invite him to telephone the undersigned so that appropriate resolution of such issues may be arrived at as expeditiously as possible.

No fee is required for the filing of this Amendment. However, if a fee is required for the filing of this Amendment, please charge such fees to Deposit Account No. 50-2215, Order No. V0690.0008.

Respectfully submitted,

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By 

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